



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,016	04/01/2005	Mathias Bergman	014975-112	7816
21839 7590 11/28/2007 BUCHANAN, INGERSOLL & ROONEY PC POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404			EXAMINER LUKTON, DAVID	
			ART UNIT 1654	PAPER NUMBER
			NOTIFICATION DATE 11/28/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com  
debra.hawkins@bipc.com

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
---------------	-------------	-----------------------	---------------------

10/530016

EXAMINER
----------

ART UNIT	PAPER NUMBER
----------	--------------

2007-1114

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Please see the attached communication regarding the amendment filed 9/4/07.

Pursuant to the response filed 9/4/07, claim 2 has been cancelled, and several claims amended. Claims 1 and 3-28 remain pending.

Applicants' amendment, however, is determined to be "non-responsive". In response to the restriction/election requirement, applicants elected Group 1 (claims 1-9, 19). Applicants also elected, as a single specie, the following pentapeptide:

cys-leu-arg-ser-cys

There was no indication at that time that this peptide might be cyclic. The most recently filed sequence listing (filed 3/5/07) provided no indication that SEQ ID NO:1 might be cyclic. Accordingly, none of the claims (amendment filed 9/4/07) encompasses the elected specie.

In order to avoid abandonment, applicants are required to provide at least one claim that encompasses the elected peptide (which peptide is acyclic). [In the event that an RCE is filed, applicants will be free to elect a different specie].

✦

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

✦

No claim is allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lukton whose telephone number is 571-272-0952. The examiner can normally be reached Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang, can be reached at (571)272-0562. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600.

A handwritten signature in black ink, appearing to read "D. Lukton". The signature is stylized with a large, looped "D" and a cursive "Lukton".

DAVID LUKTON, PH.D.  
PRIMARY EXAMINER